



<b>USDS SDNY</b> <b>DOCUMENT</b> <b>ELECTRONICALLY FILED</b> DOC #: DATE FILED: SEP 04 2007
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THE CITY OF NEW YORK  
**LAW DEPARTMENT**  
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August 30, 2007

**Application GRANTED**  
SEP 04 2007

**By Fax: (212) 805-6304**

Hon. Paul A. Crotty  
United States District Judge  
U.S. District Court – Chambers 735  
500 Pearl St.  
New York, New York 10007

**SO ORDERED:**

*Paul A. Crotty*  
HON. PAUL A. CROTTY  
UNITED STATES DISTRICT JUDGE

Re: Cardonia v. City of New York, et al., 07 CV 7099

Your Honor:

I am the Assistant Corporation Counsel representing defendant The City of New York (the "City") in the referenced civil rights action.<sup>1</sup> I am writing to request an extension of the City's time to answer or otherwise respond to the complaint from August 29, 2007 to October 28, 2007. I have been unsuccessful in contacting my adversary about this request; however, I have no reason to believe that he would not consent to the extension.

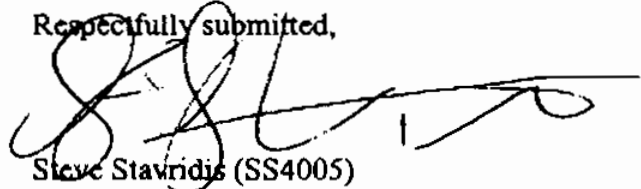
There are several reasons for seeking the extension. Plaintiff alleges in his complaint that he was falsely arrested and maliciously prosecuted by the defendant police officer. In order to respond to these allegations, we need to obtain the records related to plaintiff's arrest and criminal prosecution. However, these records are presumably sealed pursuant New York Criminal Procedure Law § 160.50. Therefore, we need to obtain a consent authorization from plaintiff before we can access the sealed records. We have sent plaintiff the consent authorization for execution, but have not received it yet from him. Additional time is therefore needed to allow the City to obtain plaintiff's sealed records so that it could respond to the complaint.

<sup>1</sup> Upon information and belief, the defendant Police Officers have not been served with process as of this date.

MEMO ENDORSED

No previous requests for an extension have been made by either party. An initial conference has not been scheduled yet and so this extension will not affect any other scheduled dates. Accordingly, it is respectfully requested that the Court grant defendant's foregoing application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Steve Stavridis', with a long horizontal flourish extending to the right.

Steve Stavridis (SS4005)  
Special Federal Litigation Division

cc: Rudy Velez Esq. (By Fax: 718-993-3064)  
Attorney for Plaintiff